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for an injury to the elbow of the right arm. An X-ray photograph was admitted in evidence, and exception taken by counsel for defendant on the ground that it was an exaggeration and a distortion. *Held,* that it was a discretion of the presiding justice to admit an X-ray photograph, and his determination thereon is not open to exceptions.

This seems to be the rule in Mass. *Blair* v. *Pelham*, 118 Mass. 420; *Van Houten* v. *Morse*, 162 Mass. 414. In *Udderzook* v. *Com.*, 76 Pa. St. 340, it was held that the court may take judicial cognizance of a photograph as of other matters of science. Some authorities are more reserved. In *Cunningham, Admx.*, v. *Fair Haven & Westville R. R. Co.*, 72 Conn. 244, the court said, "We do not see how this preliminary question differs from any other, where questions of fact and law may be intermingled—the conclusions of the trial judge may be so clearly against law that we can to a certain extent review them." *Geer* v. *Missouri L. & M. Co.*, 134 Mo. 85; *McLean* v. *Scribbs*, 52 Mich. 219.

WILLS—EVIDENCE OF EXISTENCE—IN RE CAMERON'S ESTATE, 62 N. Y. Sup. 187.—*Held*, that photographs of a lost will and codicil are admissible in evidence to prove its existence and defeat proceedings to obtain letters of administration.

Photographs of places are frequently given to juries, where the jury cannot view the places. But such photographs are subject to attack as being inaccurate. *Dyson* v. *N. Y. and New England R. R.*, 57 Conn. 7; *Cunningham* v. *Fair Haven and Westville*, 72 Conn., 244. Photographs of documents, if properly authenticated, are sometimes admitted where better evidence cannot be obtained. *In re Stephens*, L. R. 9 C. P. 187.